

**MINUTES**  
**State Allocation Board**  
**January 3, 2001**

Upon notice duly given, the monthly meeting of the State Allocation Board was held in Room 4203 of the State Capitol in Sacramento, California on January 3, 2001 at 4:00 p.m.

Members of the Board present were as follows:

- Karen McGagin, Deputy Director and Acting Board Chair  
Designated representative for Barry D. Keene, Director, Department of General Services
- Duwayne Brooks, Director, School Facilities Planning Division, California Department of Education  
Designated representative for Delaine Eastin, Superintendent of Public Instruction
- Senator Dede Alpert
- Senator Jack O'Connell
- Assembly Member Marco Firebaugh
- Assembly Member Darrell Steinberg

Members of the Board absent was as follows:

- Annette Porini, Chief Deputy Director  
Designated Chair for B. Timothy Gage, Director, Department of Finance

Representative of the State Allocation Board (SAB) was as follows:

Luisa M. Park, Interim Executive Officer

Representatives of the Department of General Services, Office of Public School Construction (OPSC) were as follows:

Luisa M. Park, Interim Executive Officer  
Phil Shearer, Chief of Operations

Representative of the Department of General Services, Office of Legal Services, was as follows:

Garry Ness, Assistant Chief Counsel

With a quorum present, Ms. McGagin, Acting Chair, called the meeting to order at 4:05 p.m.

**EXECUTIVE OFFICER'S STATEMENT**

The Interim Executive Officer advised the Board on the following issues:

- Use of Grants approvals for West Contra Costa and Morgan Hill Unified School Districts;
- Four projects were not included on the unfunded list. However, they will be included on the January 24, 2001 SAB unfunded list; and
- Emergency Regulations were approved on January 2, 2001 by the Office of Administrative Law with minor changes.

**PRIOR MINUTES**

A motion was made and carried to approve the Minutes of the December 13, 2000 SAB meeting.

**CONSENT ITEMS*****Annual Adjustment to School Facility Program Grants***

In considering this item, the Board approved the staff's recommendation.

***New Construction Apportionments and Unfunded Approvals***

In considering this item, the Board directed staff to fund new construction projects exempt from priority points. The priority point calculations for the remaining new construction items are to be presented for funding consideration at the January 24, 2001 SAB meeting.

Syma Reynolds Greene from Reynolds and Associates addressed the Board regarding the calculation of priority points and the receipt of 100 bonus points for site acquisition or planning applications submitted prior to September 29, 2000.

Assembly Member Steinberg requested that staff present a report to the Board regarding how many school districts are taking advantage of the 20 bonus priority points for planning the building of energy-efficient projects

**PUBLIC COMMENTS**

Assembly Member Phil Wyman submitted a letter and also addressed the Board in regard to a problem with the construction of a new high school in the Tehachapi Unified School District (TUSC). A copy of the letter is attached and marked Attachment "A". Also addressing the Board was Mr. Kent Ashworth, District Superintendent for the TUSC.

**INFORMATION/REFERENCE*****Board Meeting Dates for the 2001 Calendar Year***

There being no further business to come before the Board, the Chair adjourned the meeting at 4:25 p.m.

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LUISA M. PARK, Interim Executive Officer

**MINUTES**  
**State Allocation Board**  
**January 24, 2001**

Upon notice duly given, the monthly meeting of the State Allocation Board was held in Room 4203 of the State Capitol in Sacramento, California on January 24, 2001 at 4:00 p.m.

Members of the Board present were as follows:

- Annette Porini, Chief Deputy Director  
Designated Chair for B. Timothy Gage, Director, Department of Finance
- Rosamond Bolden, Chief Deputy Director  
Designated representative for Barry D. Keene, Director, Department of General Services
- Duwayne Brooks, Director, School Facilities Planning Division, California Department of Education  
Designated representative for Delaine Eastin, Superintendent of Public Instruction
- Senator Dede Alpert
- Senator Jack O'Connell
- Assembly Member Marco Firebaugh
- Assembly Member Darrell Steinberg

Representative of the State Allocation Board (SAB) was as follows:

Luisa M. Park, Interim Executive Officer

Representatives of the Department of General Services, Office of Public School Construction (OPSC) were as follows:

Luisa M. Park, Interim Executive Officer  
Phil Shearer, Chief of Operations

Representative of the Department of General Services, Office of Legal Services, was as follows:

Garry Ness, Assistant Chief Counsel

With a quorum present, Ms. Porini, Chair, called the meeting to order at 4:09 p.m.

**CLOSED SESSION**

In accordance with Section 11126 (e) (1) of the Government Code, the Board adjourned to a closed session at 4:11 p.m. to confer with and receive advice from legal counsel regarding litigation titled Godinez, et al. versus Davis, et al., (Los Angeles County Superior Court, Case #BC227352) in which the Board is named as a defendant, and Corona-Norco Unified School District (CASH), et al. versus the State Allocation Board, Office of Public School Construction, and DOES I through XX, inclusive (Sacramento County Superior Court, Case #00CS01541).

Upon conclusion of the closed session, the Board reconvened into open session at 4:23 p.m.

**PRIOR MINUTES**

A motion was made and carried to approve the Minutes of the January 3, 2001 SAB meeting.

**CONSENT ITEMS**

The Board approved the Consent calendar as presented.

**FINANCIAL REPORTS*****Status of Funds***

The Board accepted the Status of Funds report as presented.

Additionally, the Board requested that staff report back to the Board regarding the projected State funding need for health and safety facility hardships so that a prudent reserve of hardship funding can be maintained.

**SPECIAL CONSENT ITEMS*****Request for Lease-Purchase Program Project Time Extension***

In considering this item, the Board approved the staff's recommendation.

***Needles Unified School District/San Bernardino County***

In considering this item, the Board approved the staff's recommendations.

***Centinela Valley Union High School District/Los Angeles County***

In considering this item, the Board approved the staff's recommendations.

***Fairfield-Suisun Unified School District/Solano County***

In considering this item, the Board approved the staff's recommendations.

***Glendale Unified School District/Los Angeles County***

In considering this item, the Board approved the staff's recommendation.

***Lennox Elementary School District/Los Angeles County***

In considering this item, the Board approved the staff's recommendations.

***Julian Union High School District/San Diego County***

In considering this item, the Board approved the staff's recommendations and directed staff to perform a project expenditure audit.

**SPECIAL/APPEAL ITEMS*****Julian Union High School District/San Diego County***

Jim Zoll, Superintendent of the Julian Union High School District, and Tom Robinson from the San Diego County Office of Education, addressed the Board regarding the District's request for assistance with litigation-related expenses.

Upon a motion and a second that the Board apportion 75 percent (or \$337,704) of the approvable litigation expenditures of \$450,273 because of the severe financial condition of the District, the Chair requested a roll-call vote and action was taken as follows:

MEMBER	AYE	NAY	ABSTAIN	ABSENT
Senator Alpert	X			
Senator O'Connell	X			
Assembly Member Firebaugh	X			
Assembly Member Steinberg	X			
Rosamond Bolden	X			
Duwayne Brooks	X			
Annette Porini	X			
Total	7	0	0	0

**Motion:**

Carried   X  

Failed       

***John Swett Unified School District/Contra Costa County***

The District withdrew this item.

***Lease-Purchase Program Gymnasium and Multipurpose Funding Policy (Assembly Bill 191)***

Senator Tom Torlakson and Assembly Member Joe Canciamilla addressed the board on behalf of the Burlingame, Central, Mount Diablo and River Delta School Districts.

In considering this item, the Board approved the staff's recommendation. Additionally, the Board requested staff to consider future funding priority upon implementation of Senate Bill 1795 for those districts that meet the requirements of Assembly Bill 191 with the expanded eligibility criteria as outlined in this report.

(Note: The Selma Unified School District withdrew its request from this appeal item.)

***La Canada Unified School District/Los Angeles County***

The District withdrew this item.

***Spencer Valley Elementary School District/San Diego County***

The District withdrew this item.

**INFORMATION/REFERENCE**

***Board Meeting Dates for the 2001 Calendar Year***

***Deferred Maintenance Program/Critical Hardship Unfunded Approvals List as of December 13, 2000***

***SFP New Construction Unfunded Approval List as of January 3, 2001***

***SFP Modernization Unfunded Approval List as of December 13, 2000***

***OPSC Workload List for SFP New Construction and Modernization Applications through January 12, 2001***

There being no further business to come before the Board, the Chair adjourned the meeting at 4:56 p.m.

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LUISA M. PARK, Interim Executive Officer

**MINUTES**  
**State Allocation Board**  
**February 28, 2001**

Upon notice duly given, the monthly meeting of the State Allocation Board was held in the auditorium of the State Water Resources Building located at 1416 Ninth Street, Sacramento, California on February 28, 2001 at 4:00 p.m.

Members of the Board present were as follows:

- Annette Porini, Chief Deputy Director  
Designated Chair for B. Timothy Gage, Director, Department of Finance
- Rosamond Bolden, Chief Deputy Director  
Designated representative for Barry D. Keene, Director, Department of General Services
- Duwayne Brooks, Director, School Facilities Planning Division, California Department of Education  
Designated representative for Delaine Eastin, Superintendent of Public Instruction
- Senator Dede Alpert
- Assembly Member Marco Firebaugh
- Assembly Member Darrell Steinberg

Member of the Board absent was as follows:

- Senator Jack O'Connell

Representative of the State Allocation Board (SAB) was as follows:

Luisa M. Park, Interim Executive Officer

Representatives of the Department of General Services, Office of Public School Construction (OPSC) were as follows:

Luisa M. Park, Interim Executive Officer  
Phil Shearer, Chief of Operations

Representative of the Department of General Services, Office of Legal Services, was as follows:

Garry Ness, Assistant Chief Counsel

With a quorum present, Ms. Porini, Chair, called the meeting to order at 4:10 p.m.

**CLOSED SESSION**

In accordance with Section 11126 (e) (1) of the Government Code, the Board adjourned to a closed session at 4:12 p.m. to confer with and receive advice from legal counsel regarding litigation titled Godinez, et al. versus Davis, et al., (Los Angeles County Superior Court, Case #BC227352) in which the Board is named as a defendant, and Corona-Norco Unified School District, et al. versus the State Allocation Board, Office of Public School Construction, and DOES I through XX, inclusive (Sacramento County Superior Court, Case #00CS01541).

Upon conclusion of the closed session, the Board reconvened into open session at 4:40 p.m.

**PRIOR MINUTES**

A motion was made and carried to approve the Minutes of the January 24, 2001 SAB meeting.

**CONSENT ITEMS**

The Board approved the Consent calendar as presented.

**FINANCIAL REPORTS*****Status of Funds***

The Board accepted the Status of Funds report as presented.

***Facility Hardship – Projected Funding Need***

In considering this item, the Board accepted the report as presented.

The Board requested staff to prepare an additional report that identifies possible funds that can be transferred in order to meet the projected need for the “health and safety “ projects.

**SPECIAL CONSENT ITEMS*****Los Angeles Unified School District - Request for Lease-Purchase Program Project Time Extension***

In considering this item, the Board approved the staff’s recommendations.

***Upper Lake Union High School District/Lake County***

In considering this item, the Board approved the staff’s recommendations.

***Jefferson Union High School District/San Mateo County (Westmoor High School)***

In considering this item, the Board approved the staff’s recommendation.

***Jefferson Union High School District/San Mateo County (Oceana High School)***

In considering this item, the Board approved the staff’s recommendation.

***Gilroy Unified School District/Santa Clara County***

In considering this item, the Board approved the staff’s recommendations.

**SPECIAL APPEAL ITEMS*****Los Angeles Unified School District/Los Angeles County***

This item was held over to the March 2001 SAB meeting.

***John Swett Unified School District/Contra Costa County***

Assembly Member Joe Canciamilla and Mr. Michael Roth, Superintendent of the John Swett Unified School District, addressed the Board in support of this appeal.



In considering this item, the Board approved staff recommendations with the following amendments:

The Board approved financial hardship for the project's separate design only, contingent upon the District providing a School Board Resolution that commits to a specific bond measure election date for an amount no less than the District's matching share of the entire project.

***Oxnard Union High School District/Ventura County***

The District withdrew this item.

***Requests for Use of New SFP Construction Grants***

This item was held over to the March 2001 SAB meeting in order for the SAB Implementation Committee to review the "Use of Grants" regulation to determine if it should be amended.

The Board also expressed the following concerns regarding "Use of Grants" to be considered by the SAB Implementation Committee:

- Perception of changing rules and desire not to change the regulations unless there are compelling reasons.
- Gymnasiums, auditoriums, libraries and multipurpose rooms are essential facilities and are no less important than classrooms.
- "Housing Plans" that house pupils in excluded portables are inappropriate.
- Approvals for conceptual "Use of Grants" requests.
- High number of "Use of Grants" requests.
- Fairness in grandfathering "Use of Grants" requests made prior to amendments to the regulation.

***Date Change and Out-of-Order Funding Requests***

This item was held over to the March 2001 SAB meeting.

**POLICY/REGULATION ITEMS**

***Lease-Purchase Program Funding of "Joint Use Projects" for Gymnasiums, Multipurpose Rooms and Libraries (Implementation of Senate Bill 1795)***

In considering this item, the Board approved staff recommendations with the following amendments to Attachment A:

- Deleted the restriction that only one application can be submitted per funding cycle in the "Eligibility" Section.
- Eliminated the provision in the "Funding Availability" Section that the OPSC conduct a lottery if there were insufficient funds to fully allocate a funding priority.
- Added a provision in the "Funding Availability" Section that applications would be funded based on the date order received within a funding category.

- Added three funding categories in “Funding Availability” after funding category “b” as follows:
  - c. To those joint use projects where there is no gymnasium, multipurpose room or library at the site, or the existing square footage of all of these facilities is less than 50 percent of the square footage eligibility allowed in this “Joint Use Policy”.
  - d. To those joint use projects where there is only one gymnasium, multipurpose room or library, or the existing square footage of two of these facilities is less than 50 percent of the square footage eligibility allowed in this “Joint Use Policy”.
  - e. To those joint use projects where there is two of the following, or the existing square footage of one of these facilities is less than 50 percent of the square footage eligibility allowed in this “Joint Use Policy”: a gymnasium, a multipurpose room or a library.
- Added a lowest funding category for those additional joint use projects beyond the first submitted by a district in a funding cycle.
- Directed the OPSC to contract for an independent study to determine if the cost allowances provided in the “Eligible State Funding” Section are appropriate.

***Use of School Facility Program Grants on Leased Property (Implementation of Assembly Bill 2408)***

In considering this item, the Board approved the staff’s recommendations, with amendments to Attachment A, as follows:

- Eliminated the following from Section 1859.22:

The Board may determine that an entity for which the district is requesting to lease or currently leasing real property from is a “Governmental Agency” if it determines it is in the best interest of the State to do so.

- Modified the definition of “Governmental Agency” added to Section 1859.2 as follows:

A “Governmental Agency” shall include, but not be limited to, a public entity as defined in Government Code Section 7260(a), including California federally recognized or historically established tribal governments.

***Supplemental Funding for Replacement of Existing Facilities to Increase Pupil Capacity (Implementation of Assembly Bill 801)***

In considering this item, The Board approved the staff’s recommendations.

***Amendments to the Deferred Maintenance Program Regulations***

This item was held over to a future SAB meeting.

The Board requested staff to determine if it is appropriate to develop essential deferred maintenance guidelines and minimum standards of habitability for school facilities, and to investigate if it would require legislation.

***Proposed Regulation Defining the Term “In Escrow”***

In considering this item, the Board approved the staff’s recommendations.

**REPORTS*****Energy Efficient School Construction Projects***

In considering this item, the Board accepted the report and approved the staff's recommendations.

Additionally, the Board requested staff to track legislation that impacts energy efficiency for schools and to be proactive regarding energy legislation.

**CLASS SIZE REDUCTION PROGRAM*****Transfer of Class Size Reduction Funds***

In considering this item, the Board approved the staff's recommendation.

**INFORMATION/REFERENCE**

***Board Meeting Dates for the 2001 Calendar Year***

***Deferred Maintenance Program/Critical Hardship Unfunded Approvals List as of January 24, 2001***

***Facility Hardship/Rehabilitation Approvals Without Funding List as of February 28, 2001***

***School Facility Program Modernization List – Unfunded Approvals as of January 24, 2001***

***School Facility Program New Construction List – Unfunded Approvals as of January 24, 2001***

***OPSC Workload Summary List – New Construction and Modernization as of February 20, 2001***

There being no further business to come before the Board, the Chair adjourned the meeting at 6:16 p.m.

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LUISA M. PARK, Interim Executive Officer

**MINUTES**  
**State Allocation Board**  
**March 28, 2001**

Upon notice duly given, the monthly meeting of the State Allocation Board was held in Room 3191 of the State Capitol, Sacramento, California on March 28, 2001.

Members of the Board present were as follows:

- Annette Porini, Chief Deputy Director  
Designated Chair for B. Timothy Gage, Director, Department of Finance
- Karen McGagin, Deputy Director  
Designated representative for Barry D. Keene, Director, Department of General Services
- Duwayne Brooks, Director, School Facilities Planning Division, California Department of Education  
Designated representative for Delaine Eastin, Superintendent of Public Instruction
- Senator Jack O'Connell
- Senator Dede Alpert
- Assembly Member Marco Firebaugh

Member of the Board absent was as follows:

- Assembly Member Darrell Steinberg

Representative of the State Allocation Board (SAB) were as follows:

Luisa M. Park, Interim Executive Officer  
Bruce B. Hancock, Assistant Executive Officer

Representative of the Department of General Services, Office of Public School Construction (OPSC) was as follows:

Luisa M. Park, Interim Executive Officer

Representative of the Department of General Services, Office of Legal Services, was as follows:

Garry Ness, Assistant Chief Counsel

With a quorum present, Ms. Porini, Chair, called the meeting to order at 4:07 p.m.

**PRIOR MINUTES**

A motion was made and carried to approve the Minutes for the February 28, 2001 SAB meeting.

**CONSENT ITEMS**

The Board approved the Consent calendar as presented for the Lease-Purchase and other programs, consent pages 323 through 351.

Mr. C. W. (Chuck) Apgar representing The Neighborhood Alliance, and Mr. Dutch Van Dierendonck, Chair of the Ramona Community Planning Group in Ramona, California, addressed the Board regarding their objections to a proposed elementary school site on Boundary Avenue in San Diego County. This particular project did not have enough priority points to be funded at this SAB meeting and will be placed on the unfunded list.

Dr. Colleen Gaynes, Superintendent for the Coachella Valley Unified School District (CVUSD), Mr. Alex Bowie, an attorney with the law firm of Bowie, Arneson, Wiles & Giannone representing the CVUSD, and John Trittipo, Architect for the CVUSD project, addressed the Board regarding funding for a K-12 Education Center project in the CVUSD, Riverside County (page 27).

The Board requested staff to report information on the impacts of possible separation of the CVUSD, Application Number 50/73676-00-07. The Board cautioned the District that no commitments are made or implied by this action, and affirmed that any possible future action by the Board shall **not** provide any form of out-of-order approval.

After addressing the balance of the agenda, the Board approved the consent calendar for the School Facility Program, consent pages 8 through 26. Relating to consent pages 27 through 322, the Board approved staff's recommendations 1 through 5 and 7 on page 28 and amended recommendation 6 as follows:

- Provide that \$16,584,200 available this quarter, but not apportioned, be reconsidered at the April SAB meeting for apportionment of a project that had the necessary points for funding, but insufficient funds to fully fund the project.

## **FINANCIAL REPORTS**

### ***Status of Funds***

The Board accepted the Status of Funds report as presented.

### ***Status of Hardship Funding***

In considering this item, the Board approved the staff's recommendation.

## **SPECIAL CONSENT ITEMS**

### ***Templeton Unified School District/San Luis Obispo County***

In considering this item, the Board approved the staff's recommendations.

### ***Douglas City Elementary/Trinity County***

In considering this item, the Board approved the staff's recommendations.

## **SPECIAL APPEAL ITEMS**

### ***Requests for Use of SFP New Construction Grants***

Five individuals addressed the Board regarding use of new construction grants as follows:

- Syma Greene, Reynolds & Associates
- Dave Doomey, Coalition for Adequate School Housing
- Mike Perez, San Bernardino Unified School District
- Ethan Browning, Jr., San Ramon Valley Unified School District
- Kristen Schreder, Jack Schreder & Associates

In considering this item, the Board approved the staff's recommendations.

***Manteca Unified School District/San Joaquin County***

Sandy Dwyer, Facilities Planner for the Manteca Unified School District, addressed the Board in support of this appeal for a supplemental apportionment.

This item was held over to the April SAB meeting.

The Board requested that staff provide them with a chronology of project events and copies of letters exchanged between the District and the OPSC regarding this matter.

***Hawthorne Elementary School District/Los Angeles County***

The District withdrew this item.

***School Facility Program Time Limit on Apportionments***

In considering this item, the Board approved the staff's recommendations.

***Los Angeles Unified School District (LAUSD)/Los Angeles County***

Vivian Castro, Assistant Legislative Analyst from the LAUSD Office of Legislation, and Beth Hamby, Director of Facilities, Grants and Funding at LAUSD, addressed the Board in support of this item.

Upon a motion and a second that the Board determine there was substantial progress made on the Avalon Gardens modernization project, the Chair requested a roll call vote and action was taken as follows:

MEMBER	AYE	NAY	ABSTAIN	ABSENT
Senator Alpert		X		
Senator O'Connell	X			
Assembly Member Firebaugh	X			
Assembly Member Steinberg				X
Karen McGagin		X		
Duwayne Brooks	X			
Annette Porini	X			
Total	4	2	0	1

**Motion:**

Carried   X  

Failed       

***Date Change and Out-of-Order Funding Requests – San Gabriel USD/Los Angeles County***

Mr. Bob Campbell of Governmental Access, Mr. Lee Freeman, School Board Member, and Dr. Gary Goodson, Superintendent for the San Gabriel Unified School District, addressed the SAB on behalf of the District.

In considering this item, the Board held the District's request over to the April 2001 SAB meeting. Additionally, the Board requested staff to develop possible "date change" regulation language that provides for:

- Limited parameters; and
- Case-by-case Board considerations only when one of the four major school facility-related State agencies certify in writing that errors caused districts to be disadvantaged in relationship to all other districts.

The Board also requested that staff discuss the proposed regulation language with the SAB Implementation Committee.

### **POLICY/REGULATION ITEMS**

#### ***Funding Process When Hardship Funds are Unavailable***

In considering this item, the Board approved the staff's recommendation with staff amendments to delete the requirement for financial hardship districts to certify they have obtained interim financing as a condition of accepting a partial apportionment for a project.

#### ***Bridge Financing Policy***

In considering this item, the Board requested staff to administratively address this issue through the financial hardship review so that "bridge financing," up to the amount approved for the districts on the "unfunded" list, will not be considered available for districts' project contribution.

### **INFORMATION/REFERENCE**

#### ***Board Meeting Dates for the 2001 Calendar Year***

#### ***Deferred Maintenance Program/Critical Hardship Unfunded Approvals List as of February 28, 2001***

#### ***School Facility Program Modernization List – Unfunded Approvals as of February 28, 2001***

#### ***School Facility Program New Construction List – Unfunded Approvals as of February 28, 2001***

#### ***OPSC Workload Summary List – New Construction and Modernization through March 19, 2001***

#### ***Facility Hardship/Rehabilitation Approvals Without Funding List as of March 28, 2001***

There being no further business to come before the Board, the Chair adjourned the meeting at 7:00 p.m.

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LUISA M. PARK, Interim Executive Officer

**MINUTES**  
**State Allocation Board**  
**April 25, 2001**

Upon notice duly given, the monthly meeting of the State Allocation Board was held in the Auditorium of State Office Building Nine located at 744 "P" Street, Sacramento, California on April 25, 2001.

Members of the Board present were as follows:

- Annette Porini, Chief Deputy Director  
Designated Chair for B. Timothy Gage, Director, Department of Finance
- Rosamond Bolden, Chief Deputy Director  
Designated representative for Barry D. Keene, Director, Department of General Services
- Duwayne Brooks, Director, School Facilities Planning Division, California Department of Education  
Designated representative for Delaine Eastin, Superintendent of Public Instruction
- Senator Dede Alpert
- Assembly Member John Dutra
- Assembly Member Marco Firebaugh

Member of the Board absent was as follows:

- Senator Jack O'Connell

Representative of the State Allocation Board (SAB) were as follows:

Luisa M. Park, Interim Executive Officer  
Bruce B. Hancock, Assistant Executive Officer

Representative of the Department of General Services, Office of Public School Construction (OPSC) was as follows:

Luisa M. Park, Interim Executive Officer

Representative of the Department of General Services, Office of Legal Services, was as follows:

Garry Ness, Assistant Chief Counsel

With a quorum present, Ms. Porini, Chair, called the meeting to order at 4:15 p.m.

**PRIOR MINUTES**

A motion was made and carried to approve the Minutes for the March 28, 2001 SAB meeting.

**CONSENT ITEMS**

The Board approved the Consent calendar as presented.

**FINANCIAL REPORTS**

***Status of Funds***

The Board accepted the Status of Funds report as presented.



**SPECIAL CONSENT ITEMS*****Junction Elementary School District/Siskiyou County***

In considering this item, the Board approved the staff's recommendations.

***San Jacinto Unified School District/Riverside County***

In considering this item, the Board approved the staff's recommendations.

**SPECIAL APPEAL ITEM*****San Gabriel Unified School District/Los Angeles County***

Three individuals addressed the Board in support of the District's request as follows:

- Mr. Bob Campbell, Governmental Access
- Dr. Gary Goodson, Superintendent, San Gabriel Unified School District
- Mr. Lee Freeman, School Board Member, San Gabriel Unified School District

In considering this item, the Board requested staff to bring the item back to its May 2001 meeting.

Additionally, the Board requested that its legal counsel confer with the District's legal counsel to further explore options regarding this matter.

**REGULATION ITEM*****Proposed Regulation Amendment Regarding Special Day Class Enrollment***

In considering this item, the Board approved the staff's recommendation.

**INFORMATION/REFERENCE*****Board Meeting Dates for the 2001 Calendar Year******Deferred Maintenance Program/Critical Hardship Unfunded Approvals List as of March 28, 2001******School Facility Program New Construction List – Unfunded Approvals as of March 28, 2001******School Facility Program Modernization List – Unfunded Approvals as of March 28, 2001******OPSC Workload Summary List – New Construction and Modernization through April 6, 2001******Facility Hardship/Rehabilitation Approvals Without Funding List as of April 25, 2001***

There being no further business to come before the Board, the Chair adjourned the meeting at 5:00 p.m.

**MINUTES**  
**State Allocation Board**  
**May 23, 2001**

Upon notice duly given, the monthly meeting of the State Allocation Board was held in Room 112 at the State Capitol, Sacramento, California on May 23, 2001.

Members of the Board present were as follows:

- Annette Porini, Chief Deputy Director  
Designated Chair for B. Timothy Gage, Director, Department of Finance
- Rosamond Bolden, Chief Deputy Director  
Designated representative for Barry D. Keene, Director, Department of General Services
- Duwayne Brooks, Director, School Facilities Planning Division, California Department of Education  
Designated representative for Delaine Eastin, Superintendent of Public Instruction
- Senator Dede Alpert
- Senator Jack O'Connell
- Assembly Member John Dutra
- Assembly Member Marco Firebaugh

Representative of the State Allocation Board (SAB) were as follows:

Luisa M. Park, Interim Executive Officer  
Bruce B. Hancock, Assistant Executive Officer

Representative of the Department of General Services, Office of Public School Construction (OPSC) was as follows:

Luisa M. Park, Interim Executive Officer

Representative of the Department of General Services, Office of Legal Services, was as follows:

Garry Ness, Assistant Chief Counsel

With a quorum present, Ms. Porini, Chair, called the meeting to order at 4:23 p.m.

**PRIOR MINUTES**

A motion was made and carried to approve the Minutes for the April 25, 2001 SAB meeting.

**EXECUTIVE OFFICER STATEMENT**

The Interim Executive Officer advised the Board on the following issues:

- Independent audit of the San Francisco Unified School District;
- Report on Proposed Energy Legislation; and public hearing regarding energy conservation in public schools to be held at the conclusion of today's Board meeting.

**CONSENT ITEMS**

The Board approved the Consent calendar as presented.

**FINANCIAL REPORTS*****Status of Funds***

The Board accepted the Status of Funds report as presented.

***Northridge Earthquake Program***

In considering this item, the Board approved the staff's recommendations.

**SPECIAL CONSENT ITEMS*****Use of New Construction Grants***

In considering this item, the Board approved the staff's recommendation.

***Huntington Beach Union High/Orange County (Application #50/66548-00-01)***

In considering this item, the Board approved the staff's recommendations.

***Huntington Beach Union High/Orange County (Application #57/66548-00-07)***

In considering this item, the Board approved the staff's recommendations.

***Lease-Purchase Program – Requests for Time Extensions***

In considering this item, the Board approved the staff's recommendation.

***Los Angeles Unified School District/Los Angeles County***

In response to questions posed by Board members, Ms. Beth Hamby and Mr. Rick Rodriguez from LAUSD spoke on behalf of the District.

In considering this item, the Board approved the staff's recommendations.

Additionally, the Board requested that the District provide the Board with an updated status report on this project every six months.

**SPECIAL APPEAL ITEMS*****Time Limit on Apportionments – School Facility Program***

In considering this item, the Board approved the staff's recommendations.

***Coachella Valley Unified School District/Riverside County***

In response to questions asked by Board members, Dr. Colleen Gaynes, District Superintendent, and Mr. Tut Pensis, Assistant Superintendent of Administrative Services, spoke on behalf of the District.

In considering this item, the Board approved the staff's recommendations.

***San Gabriel Unified School District/Los Angeles County***

Several individuals addressed the Board in support of the District's request as follows:

- Mr. Bob Campbell, Governmental Access
- Senator Gloria Romero
- Assembly Member Judy Chu
- Mr. Ken Mennemeier (legal counsel for San Gabriel USD)

Upon a motion and a second that the Board approve the District's request for a date change for an adjusted grant and approve funding for a new construction project (with a provision that, if the motion fails today, the District can come back next month with additional information), the Chair requested a roll call vote and action was taken as follows:

MEMBER	AYE	NAY	ABSTAIN	ABSENT
Senator Alpert		X		
Senator O'Connell			X	
Assembly Member Firebaugh	X			
Assembly Member Dutra	X			
Rosamond Bolden	X			
Duwayne Brooks	X			
Annette Porini		X		
Total	4	2	1	

**Motion:**Carried   X  Failed       **POLICY/REGULATION ITEM*****SB 1795 – Lease-Purchase Program – Library, Gymnasium and Multipurpose Facilities***

In considering this item, the Board approved the staff's recommendations.

**ENERGY REPORT/PUBLIC HEARING**

In considering this item, the Board accepted the staff's report on Energy Conservation Legislation.

The audience was invited to address the Board in order to share any comments and innovative ideas affecting energy efficiency in public schools.

**INFORMATION/REFERENCE*****Board Meeting Dates for the 2001 Calendar Year******Deferred Maintenance Program/Critical Hardship Unfunded Approvals List as of April 25, 2001******School Facility Program New Construction List – Unfunded Approvals as of April 25, 2001***

***School Facility Program Modernization List – Unfunded Approvals as of April 25, 2001***

***OPSC Workload Summary List – New Construction and Modernization through May 9, 2001***

***Facility Hardship/Rehabilitation Approvals Without Funding List as of May 23, 2001***

There being no further business to come before the Board, the Chair adjourned the meeting at 5:40 p.m.

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LUISA M. PARK, Interim Executive Officer

**MINUTES**  
**State Allocation Board**  
**June 27, 2001**

Upon notice duly given, the monthly meeting of the State Allocation Board was held in the auditorium of the State Water Resources Building located at 1416 Ninth Street, Sacramento, California on June 27, 2001 at 4:00 p.m.

Members of the Board present were as follows:

- Annette Porini, Chief Deputy Director  
Designated Chair for B. Timothy Gage, Director, Department of Finance
- Karen McGagin, Deputy Director  
Designated representative for Barry D. Keene, Director, Department of General Services
- Duwayne Brooks, Director, School Facilities Planning Division, California Department of Education  
Designated representative for Delaine Eastin, Superintendent of Public Instruction
- Senator Dede Alpert
- Senator Jack O'Connell
- Assembly Member John Dutra
- Assembly Member Marco Firebaugh

Representatives of the State Allocation Board (SAB) were as follows:

Luisa M. Park, Interim Executive Officer  
Bruce B. Hancock, Assistant Executive Officer

Representative of the Department of General Services, Office of Public School Construction (OPSC) was as follows:

Luisa M. Park, Interim Executive Officer

Representative of the Department of General Services, Office of Legal Services, was as follows:

Deborah M. Cregger, Staff Counsel

With a quorum present, Ms. Porini, Chair, called the meeting to order at 4:18 p.m.

**CLOSED SESSION**

In accordance with Section 11126 (e) (1) of the Government Code, the Board adjourned to a closed session at 4:22 p.m. to confer with and receive advice from legal counsel regarding litigation titled *Carmillis Noltemeyer versus State of California Allocation Board, William S. Hart Union High School District, et al.*, (Los Angeles County Superior Court, Case #BC 250934) in which the Board is named as a defendant.

Upon conclusion of the closed session, the Board reconvened into open session at 4:35 p.m.

**PRIOR MINUTES**

A motion was made and carried to approve the Minutes for the May 23, 2001 SAB meeting.

**EXECUTIVE OFFICER STATEMENT**

The Interim Executive Officer, Ms. Park, advised the Board about the impending notification to the Legislature whereby they are required to be notified once the Board is no longer approving apportionments for new

construction projects due to lack of funds pursuant to Government Code Section 65995.7 Ms. Park confirmed that an expedited opinion would be requested on this matter from the Attorney General's Office.

### **CONSENT ITEMS**

Ms. Laura Stewart, President of a group in the Elk Grove area called Citizens for Responsible Planning, addressed the Board regarding the purchase of property by the Elk Grove Unified School District to be used for a middle/high school. Mr. Constantine Baranoff, Assistant Superintendent of Facilities and Planning for the Elk Grove Unified School District also addressed the Board regarding the same issue. This issue does not, however, involve the two projects listed on today's consent calendar.

After addressing the Status of Funds and Special Consent items on pages 441 through 460, the Board then approved the Consent calendar as presented.

### **FINANCIAL REPORTS**

#### ***Status of Funds***

The Board accepted the Status of Funds report as presented.

Additionally, the Board approved staff's recommendation to transfer \$13.7 million in funds from *the Reserved Facility Hardship* category to the *Financial Hardship* category in order to provide new construction funding for this quarter. The Board requested that staff present a report at a future SAB meeting on proposed methods to replenish the Facility Hardship Reserve from anticipated revenues.

### **SPECIAL CONSENT ITEMS**

#### ***Use of New Construction Grants***

In considering this item, the Board approved the staff's recommendation.

#### ***Oakland Unified School District/Alameda County***

In considering this item, the Board approved the staff's recommendation.

### **SPECIAL APPEAL ITEMS**

#### ***Long Beach Unified School District/Los Angeles County***

Ms. Tomio Nishimura, Chief Business and Financial Officer for the Long Beach Unified School District, addressed the Board on behalf of the District.

In considering this item, the Board approved the staff's recommendation.

#### ***Montebello Unified School District/Los Angeles County***

This item was withdrawn.

#### ***Kneeland Elementary School District/Humboldt County***

In considering this item, the Board approved the staff's recommendation.

***Vista Unified School District/San Diego County***

Mr. Mike Vail, Assistant Superintendent for Facilities and Governmental Relations for the District, addressed the Board on behalf the District's request and also answered questions from Board members.

Ms. Lettie Boggs, Assistant Superintendent for the Anaheim City School District, and Ms. Syma Greene from Reynolds and Associates representing the Hawthorne and Los Banos School Districts, addressed the Board regarding their concerns that the districts they represent are in a similar situation to that of Vista Unified School District.

In considering this item, the Board held the item over until a future meeting and requested staff to work with the districts through the SAB Implementation Committee by discussing potential regulations that will address:

- Case-by-case consideration by the Board;
- Flexibility in the process; and
- Methods to prevent manipulation.

***Ventura Unified School District/Ventura County***

Mr. Jorge Gutierrez, Director of Facilities, Maintenance and Operations for the Ventura Unified School District, addressed the Board in support of the District's request.

Upon a motion and a second that the Board approve the District's request for a date change for an adjusted grant and approve funding for a new construction project, the Chair requested a roll call vote and action was taken as follows:

MEMBER	AYE	NAY	ABSTAIN	ABSENT
Senator Alpert				X
Senator O'Connell	X			
Assembly Member Firebaugh	X			
Assembly Member Dutra	X			
Karen McGagin		X		
Duwayne Brooks			X	
Annette Porini		X		
Total	3	2	1	1

**Motion:**

Carried \_\_\_\_\_

Failed   X  

In considering this item, the Board approved the staff's recommendation.

**POLICY/REGULATION ITEM*****Proposed Regulations for Application Processing Date Change***

Mr. Dave Doomey, Assistant Superintendent for the Capistrano Unified School District, past Chair for the Coalition for Adequate School Housing, and a member of the State Allocation Board Implementation Committee, addressed the Board in opposition to approval of this item.

In considering this item, the Board held the item over until a future meeting and asked staff to address whether the Board has the authority to approve date change requests absent a regulatory change.



Additionally, the Board requested that staff work with districts through the SAB Implementation Committee to reconsider the impacts of the proposed regulations and the possibility of revisions, as deemed appropriate.

***Proposed Changes to the Financial Hardship Regulations***

Several individuals representing financial hardship districts addressed the Board as follows:

- ◆ Ms. Syma Greene, Reynolds and Associates, representing various hardship districts
- ◆ Ms. Lettie Boggs, Assistant Superintendent for the Anaheim City School District
- ◆ Mr. Rob Corley, Facility Planning Consultant from Ventura, California
- ◆ Ms. Mamie Starr, Assistant Superintendent of Facilities and Planning for Lodi Unified School District

In considering this item, the Board approved the staff's recommendation, as modified, to eliminate the requirement that when districts seek case-by-case financial hardship approval from the Board, they must attempt to pass a bond election within two years of the financial hardship request under the provisions of Proposition 39.

**PUBLIC COMMENT**

Mr. Stephen L. Hartsell, Attorney for Schools Legal Services and Legal Advisor to the Board of the Coalition for Adequate School Housing (CASH), addressed the SAB regarding the views of the CASH Legal Advisory Committee pertaining to the mandatory duty of the SAB to formally declare that State funds are not available for facility construction and to make notification to the Legislature as required by statute as soon as possible.

**INFORMATION/REFERENCE**

***Board Meeting Dates for the 2001 Calendar Year***

***Deferred Maintenance Program/Critical Hardship Unfunded Approvals List as of May 23, 2001***

***School Facility Program New Construction List – Unfunded Approvals as of May 23, 2001***

***School Facility Program Modernization List – Unfunded Approvals as of May 23, 2001***

***OPSC Workload Summary List – New Construction and Modernization through June 19, 2001***

***Facility Hardship/Rehabilitation Approvals Without Funding List as of June 27, 2001***

There being no further business to come before the Board, the Chair adjourned the meeting at 6:03 p.m.

**MINUTES**  
**State Allocation Board**  
**July 25, 2001**

Upon notice duly given, the monthly meeting of the State Allocation Board was held in Room 4203 at the California State Capitol, Sacramento, California on July 25, 2001 at 2:00 p.m.

Members of the Board present were as follows:

- Annette Porini, Chief Deputy Director  
Designated Chair for B. Timothy Gage, Director, Department of Finance
- Karen McGagin, Deputy Director  
Designated representative for Barry D. Keene, Director, Department of General Services
- Duwayne Brooks, Director, School Facilities Planning Division, California Department of Education  
Designated representative for Delaine Eastin, Superintendent of Public Instruction
- Senator Jack O'Connell

Members of the Board absent were as follows:

- Senator Dede Alpert
- Assembly Member John Dutra
- Assembly Member Marco Firebaugh

Representatives of the State Allocation Board (SAB) were as follows:

Luisa M. Park, Interim Executive Officer  
Bruce B. Hancock, Assistant Executive Officer

Representative of the Department of General Services, Office of Public School Construction (OPSC) was as follows:

Luisa M. Park, Interim Executive Officer

Representative of the Department of General Services, Office of Legal Services, was as follows:

Garry Ness, Assistant Chief Counsel

With a quorum present, Ms. Porini, Chair, called the meeting to order at 2:08 p.m.

**PRIOR MINUTES**

A motion was made and carried to approve the Minutes for the June 27, 2001 SAB meeting.

**CONSENT ITEMS**

The Board approved the Consent calendar as presented.

**FINANCIAL REPORTS**

***Status of Funds***

The Board accepted the Status of Funds report as presented.

**SPECIAL CONSENT ITEMS**

***Lease-Purchase Program – Request for Time Extension***

In considering this item, the Board approved the staff's recommendation.

***Los Angeles Unified School District/Los Angeles County***

In considering this item, the Board approved the staff's recommendations.

***School Facility Program Substantial Progress Rescissions***

In considering this item, the Board approved the staff's recommendations.

***Newark Unified School District/Alameda County***

In considering this item, the Board approved the staff's recommendations.

**POLICY/REGULATION ITEMS**

***Senate Bill 1795 (Alpert) Lease-Purchase Program Funding of Joint-Use Projects for Gymnasiums, Multipurpose Rooms and Libraries***

In considering this item, the Board approved the staff's recommendations.

***Proposed Regulations for Hazardous Material Waste Removal – Assembly Bill 2644***

Mr. Ernest Silva, representing the Coalition for Adequate School Housing (CASH), addressed the Board in favor of the proposed regulations.

In considering this item, the Board approved the staff's recommendations.

***Proposed Regulation Amendments for High School Attendance Area Eligibility Status***

In considering this item, the Board approved the staff's recommendations.

***Attorney General Opinion on Government Code Section 65995.7***

Mr. Stephen Hartsell, Legal Advisor for CASH, and Mr. Richard Lyon on behalf of the California Building Industry Association, addressed the Board with regard to the wording of the question that will be presented to the Attorney General.

In considering this item, the Board approved the staff's recommendations with a modification to the question that will be posed to the Office of the Attorney General as follows:

*“Is the notice requirement of Government Code Section 65995.7 triggered when the New Construction Grant requests that are ready for apportionment exceed the total bond funds available for new construction?”*

**INFORMATION/REFERENCE**

***Board Meeting Dates for the 2001 Calendar Year***

***Deferred Maintenance Program/Critical Hardship Unfunded Approvals List as of June 27, 2001***

***School Facility Program New Construction List – Unfunded Approvals as of June 27, 2001***

***School Facility Program Modernization List – Unfunded Approvals as of June 27, 2001***

***OPSC Workload Summary List – New Construction and Modernization through July 9, 2001***

***Facility Hardship/Rehabilitation Approvals Without Funding List as of July 25, 2001***

***Deferred Maintenance Program 1999/2000 Basic Apportionment List***

There being no further business to come before the Board, the Chair adjourned the meeting at 2:37 p.m.

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LUISA M. PARK, Interim Executive Officer

**MINUTES**  
**State Allocation Board**  
**August 22, 2001**

Upon notice duly given, the monthly meeting of the State Allocation Board was held in Room 447 at the California State Capitol, Sacramento, California on August 22, 2001 at 4:00 p.m.

Members of the Board present were as follows:

- Annette Porini, Chief Deputy Director  
Designated Chair for B. Timothy Gage, Director, Department of Finance
- Karen McGagin, Deputy Director  
Designated representative for Barry D. Keene, Director, Department of General Services
- Duwayne Brooks, Director, School Facilities Planning Division, California Department of Education  
Designated representative for Delaine Eastin, Superintendent of Public Instruction
- Senator Dede Alpert
- Senator Jack O'Connell
- Assembly Member John Dutra
- Assembly Member Marco Firebaugh

Representatives of the State Allocation Board (SAB) were as follows:

Luisa M. Park, Interim Executive Officer  
Bruce B. Hancock, Assistant Executive Officer

Representative of the Department of General Services, Office of Public School Construction (OPSC) was as follows:

Luisa M. Park, Interim Executive Officer

Representative of the Department of General Services, Office of Legal Services, was as follows:

Garry Ness, Assistant Chief Counsel

With a quorum present, Ms. Porini, Chair, called the meeting to order at 4:01 p.m.

**CLOSED SESSION**

In accordance with Section 11126 (e) (1) of the Government Code, the Board adjourned to a closed session at 4:05 p.m. to confer with and receive advice from legal counsel regarding litigation titled *Carmillis Noltemeyer versus State of California Allocation Board, William S. Hart Union High School District, et al.*, (Los Angeles County Superior Court, Case #BC 250934) in which the Board is named as a defendant.

Upon conclusion of the closed session, the Board reconvened into open session at 4:21 p.m.

**PRIOR MINUTES**

A motion was made and carried to approve the Minutes for the July 25, 2001 SAB meeting.

**CONSENT ITEMS**

The Board approved the Consent calendar as presented.

## **FINANCIAL REPORTS**

### ***Status of Funds***

The Board accepted the Status of Funds report as presented.

### ***Reservation of Administrative Expenditures***

In considering this item, the Board approved the staff's recommendations for reserving funds through June 30, 2002, with added direction to bring back a recommendation for consideration of reserving additional administrative funds for Fiscal Year 2002-03, dependent upon the lack of a March 2002 School Facility Bond.

### ***State Relocatable Classroom Program and Transfer of Funds to the Facility Hardship Reserve***

Mr. Dave Walrath from the Small School Districts' Association addressed the Board in support of this item, asking that if the Board decides to adopt staff recommendations, it do so on a non-precedential basis.

In considering this item, the Board approved the staff's recommendations.

## **SPECIAL CONSENT ITEMS**

### ***Requests for Use of New Construction Grants***

In considering this item, the Board approved the staff's recommendation.

### ***Lease-Purchase Program – Request for Time Extension***

In considering this item, the Board approved the staff's recommendation.

### ***School Facility Program Substantial Progress Rescissions***

In considering this item, the Board approved the staff's recommendations.

## **SPECIAL APPEAL ITEMS**

### ***Huntington Beach Union High School District/Orange County***

The District withdrew this item.

### ***Compton Unified School District/Los Angeles County***

Dr. Randolph Ward, State Administrator for Compton Unified School District (CUSD), addressed the Board on behalf of the District. Dr. Ward also responded to questions from members of the Board.

Upon a motion and a second that the Board approve the District's request for 100% financial assistance with litigation-related costs associated with the District's settlement of a construction contract dispute, the Chair requested a roll call vote and action was taken as follows:

(Compton Vote #1)

MEMBER	AYE	NAY	ABSTAIN	ABSENT
Senator Alpert			X	
Senator O'Connell	X			
Assembly Member Firebaugh	X			
Assembly Member Dutra			X	
Karen McGagin		X		
Duwayne Brooks	X			
Annette Porini		X		
Total	3	2	2	

**Motion:**

Carried \_\_\_\_\_

Failed   X  

Upon a motion and a second that the Board approve 75% in financial assistance to the District for settlement of a construction contract dispute, the Chair requested a roll call vote and action was taken as follows:

(Compton Vote #2)

MEMBER	AYE	NAY	ABSTAIN	ABSENT
Senator Alpert	X			
Senator O'Connell			X	
Assembly Member Firebaugh			X	
Assembly Member Dutra	X			
Karen McGagin	X			
Duwayne Brooks			X	
Annette Porini		X		
Total	3	1	3	

**Motion:**

Carried \_\_\_\_\_

Failed   X  

Upon a motion and a second that the Board approve 100% in financial assistance to the District for settlement of a construction contract dispute, the Chair requested a roll call vote and action was taken as follows:

(Compton Vote #3)

MEMBER	AYE	NAY	ABSTAIN	ABSENT
Senator Alpert			X	
Senator O'Connell	X			
Assembly Member Firebaugh	X			
Assembly Member Dutra			X	
Karen McGagin		X		
Duwayne Brooks	X			
Annette Porini		X		
Total	3	2	2	

**Motion:**

Carried \_\_\_\_\_

Failed   X

Upon a motion and a second that the Board approve 75% in financial assistance to the District for settlement of a construction contract dispute, the Chair requested a roll call vote and action was taken as follows:

(Compton Vote #4)

MEMBER	AYE	NAY	ABSTAIN	ABSENT
Senator Alpert	X			
Senator O'Connell			X	
Assembly Member Firebaugh			X	
Assembly Member Dutra	X			
Karen McGagin	X			
Duwayne Brooks	X			
Annette Porini		X		
Total	4	1	2	

**Motion:**

Carried   X  

Failed       

In considering this item, the Board approved State Participation at 75% and an apportionment of \$618,016.

***Lucia Mar Unified School District/San Luis Obispo County***

Mr. Michael Sears, Deputy Superintendent for the Lucia Mar Unified School District, addressed the Board on behalf of the District.

Upon a motion and a second to adopt staff's recommendation to deny the district's request to amend its new construction eligibility and priority point calculations for the Nipomo High School project, the Chair requested a roll call vote and action was taken as follows:

MEMBER	AYE	NAY	ABSTAIN	ABSENT
Senator Alpert	X			
Senator O'Connell		X		
Assembly Member Firebaugh	X			
Assembly Member Dutra	X			
Karen McGagin	X			
Duwayne Brooks	X			
Annette Porini	X			
Total	6	1		

**Motion:**

Carried   X  

Failed       

**POLICY/REGULATION ITEMS**

***Material Inaccuracy and Penalties (SB 2066)***

In considering this item, the Board approved the staff's recommendation.



***Application Processing Date Change***

Upon a motion and a second that the Board approve staff's recommendations to amend Regulation Sections 1859.91 and 1859.95, and direct the OPSC to give processing priority to requests relating to time delays caused by a State Agency, the Chair requested a roll call vote and action was taken as follows:

MEMBER	AYE	NAY	ABSTAIN	ABSENT
Senator Alpert		X		
Senator O'Connell	X			
Assembly Member Firebaugh	X			
Assembly Member Dutra	X			
Karen McGagin		X		
Duwayne Brooks	X			
Annette Porini		X		
Total	4	3		

**Motion:**

Carried   X    
Failed       

***Deferred Maintenance Program Report***

The Board accepted the Deferred Maintenance report as presented.

Upon a motion and a second to approve staff recommendation number one relating to SAB regulations for Deferred Maintenance, the Chair requested a roll call vote and action was taken as follows:

MEMBER	AYE	NAY	ABSTAIN	ABSENT
Senator Alpert	X			
Senator O'Connell	X			
Assembly Member Firebaugh	X			
Assembly Member Dutra	X			
Karen McGagin	X			
Duwayne Brooks	X			
Annette Porini	X			
Total	7			

**Motion:**

Carried   X    
Failed       

The Board deferred action on recommendation number two regarding the creation of a "Best Practices Manual" for Deferred Maintenance. The Board directed staff to discuss the issue with the school facility community first and then bring the item back before the Board for possible approval reconsideration at a later date.

**INFORMATION/REFERENCE**

***Board Meeting Dates for the remainder of the 2001 Calendar Year***

***Deferred Maintenance Program/Critical Hardship Unfunded Approvals List as of July 25, 2001***

***School Facility Program New Construction List – Unfunded Approvals as of July 25, 2001***

***School Facility Program Modernization List – Unfunded Approvals as of July 25, 2001***

***OPSC Workload Summary List – New Construction and Modernization through August 7, 2001***

***Facility Hardship/Rehabilitation Approvals Without Funding List as of August 22, 2001***

There being no further business to come before the Board, the Chair adjourned the meeting at 5:45 p.m.

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LUISA M. PARK, Interim Executive Officer

**MINUTES**  
**State Allocation Board**  
**September 26, 2001**

Upon notice duly given, the monthly meeting of the State Allocation Board was held in Room 4203 at the California State Capitol, Sacramento, California on September 26, 2001 at 2:00 p.m.

Members of the Board present were as follows:

- Annette Porini, Chief Deputy Director  
Designated Chair for B. Timothy Gage, Director, Department of Finance
- Rosamond Bolden, Chief Deputy Director  
Designated representative for Barry D. Keene, Director, Department of General Services
- Duwayne Brooks, Director, School Facilities Planning Division, California Department of Education  
Designated representative for Delaine Eastin, Superintendent of Public Instruction
- Senator Jack O'Connell
- Assembly Member Marco Firebaugh

Members of the Board absent were as follows:

- Senator Dede Alpert
- Assembly Member John Dutra

Representatives of the State Allocation Board (SAB) were as follows:

Luisa M. Park, Executive Officer  
Bruce B. Hancock, Assistant Executive Officer

Representative of the Department of General Services, Office of Public School Construction (OPSC) was as follows:

Luisa M. Park, Executive Officer

Representative of the Department of General Services, Office of Legal Services, was as follows:

Garry Ness, Assistant Chief Counsel

With a quorum present, Ms. Porini, Chair, called the meeting to order at 2:10 p.m.

**CLOSED SESSION**

In accordance with Section 11126 (e) (1) of the Government Code, the Board adjourned to a closed session at 2:14 p.m. to confer with and receive advice from legal counsel regarding litigation titled Corona-Norco Unified School District et al. versus The State Allocation Board (Los Angeles County Superior Court Case #BS068271), in which the Board is named as a defendant.

Upon conclusion of the closed session, the Board reconvened into open session at 2:20 p.m.

**PRIOR MINUTES**

A motion was made and carried to approve the Minutes for the August 22, 2001 SAB meeting.

**RESOLUTION FOR DELEGATION OF AUTHORITY**

The Board adopted the Resolution to appoint Luisa Park as the Executive Officer of the State Allocation Board and Office of Public School Construction.

**CONSENT ITEMS**

The Board approved the Consent calendar as presented.

**FINANCIAL REPORTS*****Status of Funds***

The Board accepted the Status of Funds report as presented.

***Reservation of Administrative Expenditures***

Upon a motion and a second that the Board approve Option One to reserve sufficient funds to provide for staffing through the November 2002 bond measure estimated to be \$5.6 million, the Chair requested a roll call vote and action was taken as follows:

(Reservation of Administrative Expenditures Vote #1)

MEMBER	AYE	NAY	ABSTAIN	ABSENT
Senator Alpert				X
Senator O'Connell			X	
Assembly Member Firebaugh	X			
Assembly Member Dutra				X
Rosamond Bolden	X			
Duwayne Brooks			X	
Annette Porini	X			
Total	3		2	2

**Motion:**

Carried \_\_\_\_\_

Failed   X  

Upon a motion and a second that the Board approve staff's recommendation to approve Option One to reserve sufficient funds to provide for staffing through the November 2002 bond measure estimated to be \$5.6 million with the added provision that in the event of a successful bond measure in November 2002, the balance of the fiscal year would be funded from the new bond. In the event of an unsuccessful November bond, prior bond funds could be used for administrative costs through the balance of the 2002/2003 fiscal year, the Chair requested a roll call vote and action was taken as follows:

(Reservation of Administrative Expenditures Vote #2)

MEMBER	AYE	NAY	ABSTAIN	ABSENT
Senator Alpert				X
Senator O'Connell	X			
Assembly Member Firebaugh	X			
Assembly Member Dutra				X
Rosamond Bolden	X			
Duwayne Brooks	X			
Annette Porini	X			
Total	5			2

**Motion:**

Carried   X  

Failed \_\_\_\_\_

**SPECIAL CONSENT ITEMS*****Requests for Use of New Construction Grants***

In considering this item, the Board approved the staff's recommendations.

***Lodi Unified School District/San Joaquin - 22/68585-00-07***

In considering this item, the Board approved the staff's recommendation.

***Holtville Unified School District/Imperial – 50/63149-00-05***

In considering this item, the Board approved the staff's recommendations.

***Horicon Elementary School District/Sonoma – 50/70763-00-01***

In considering this item, the Board approved the staff's recommendations.

***Rim of the World Unified School District/San Bernardino – 50/67868-00-01***

In considering this item, the Board approved the staff's recommendations.

**SPECIAL APPEAL ITEMS*****San Mateo Union High School District/San Mateo – 50/69047-04-02***

In considering this item, the Board approved the staff's recommendations.

***Montebello Unified School District/Los Angeles – 22/64808-00-07 and 08***

Ms. Maria Magdalena Carrillo Mejia, Superintendent of Montebello Unified School District, addressed the Board on behalf of the District.

Upon a motion and a second that the Board approve a waiver of the repayment of approximately \$950,000 including a waiver of interest already paid beyond the prorated portion paid by the District against the 22/64808-00-09 project, the Chair requested a roll call vote and action was taken as follows:

(Montebello Vote #1)

MEMBER	AYE	NAY	ABSTAIN	ABSENT
Senator Alpert				X
Senator O'Connell	X			
Assembly Member Firebaugh	X			
Assembly Member Dutra				X
Rosamond Bolden	X			
Duwayne Brooks	X			
Annette Porini	X			
Total	5			2

**Motion:**

Carried   X  

Failed       

***Metropolitan Education District/Santa Clara – 40/40360-00-01***

This item was withdrawn by the District and redesignated to the consent calendar.

**POLICY/REGULATION ITEMS*****School Facility Program Major Maintenance Requirements Assembly Bill 1558 (Leach)***

In considering this item, the Board approved the staff's recommendations.

**INFORMATION/REFERENCE*****Board Meeting Dates for the remainder of the 2001 Calendar Year******Deferred Maintenance Program/Critical Hardship Unfunded Approvals List as of August 22, 2001******School Facility Program New Construction List – Unfunded Approvals as of August 22, 2001******School Facility Program Modernization List – Unfunded Approvals as of August 22, 2001******OPSC Workload Summary List – New Construction and Modernization through September 17, 2001******Facility Hardship/Rehabilitation Approvals Without Funding List as of September 26, 2001*****PRESENTATION OF SAB RESOLUTION**

The SAB presented the Chief of Operations Philip R. Shearer with a resolution honoring his retirement on September 28, 2001. Philip R. Shearer retired as Chief of Operations from the Office of Public School Construction with a total of 27 years, 8 months of public service.

**ADJOURNMENT**

There being no further business to come before the Board, the Chair adjourned the meeting at 3:20 p.m.

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LUISA M. PARK, Executive Officer

**MINUTES**  
**State Allocation Board**  
**December 12, 2001**

Upon notice duly given, the monthly meeting of the State Allocation Board was held in Room 4203 at the State Capitol, Sacramento, California on December 12, 2001 at 2:00 p.m.

Members of the Board present were as follows:

- Annette Porini, Chief Deputy Director  
Designated Chair for B. Timothy Gage, Director, Department of Finance
- Rosamond Bolden, Chief Deputy Director  
Designated representative for Barry D. Keene, Director, Department of General Services
- Duwayne Brooks, Director, School Facilities Planning Division, California Department of Education  
Designated representative for Delaine Eastin, Superintendent of Public Instruction
- Senator Jack O'Connell
- Senator Dede Alpert
- Assembly Member John Dutra

Members of the Board absent were as follows:

- Assembly Member Marco Firebaugh

Representatives of the State Allocation Board (SAB) were as follows:

Luisa M. Park, Executive Officer  
Bruce B. Hancock, Assistant Executive Officer

Representative of the Department of General Services, Office of Public School Construction (OPSC) was as follows:

Luisa M. Park, Executive Officer

Representative of the Department of General Services, Office of Legal Services, was as follows:

Garry Ness, Assistant Chief Counsel

With a quorum present, Ms. Porini, Chair, called the meeting to order at 2:06 p.m.

**PRIOR MINUTES**

A motion was made and carried to approve the Minutes for the October 24, 2001 SAB meeting.

**CONSENT ITEMS**

Ms. Lora Stewart, President of Citizens for Responsible Planning (CFRP) and Mr. David Shell, also representing CFRP, addressed the Board in opposition to funding for the Elk Grove Unified School District's Monterey Trail High School/Edward Harris, Jr. Middle School project (Application Number 50/67314-00-013) on Consent Page 33.

Mr. Constantine Baranoff, Assistant Superintendent for Facilities and Planning for the Elk Grove Unified School District (EGUSD), and Mr. Brian Meyers, President of the EGUSD School Board, addressed the Board on behalf of the District.

The Board approved the Consent calendar as presented with the exception of the Oakland Unified School District, Application Numbers 50/61259-09-00 and 50/61259-12-00 on Consent Page 12, which were withdrawn at the Board per the District's request.

The Board was also informed that Mulberry Elementary School District, Application Number 50/63206-00-001 on Consent Page 34, should have been included in the Consent Calendar with a recommendation for funding. OPSC will present this project at the January 23, 2002 Board meeting for funding approval.

## **FINANCIAL REPORTS**

### ***Status of Funds***

The Board accepted the Status of Funds report as presented.

## **SPECIAL CONSENT ITEMS**

### ***Use of New Construction Grants***

In considering this item, the Board approved the staff's recommendation.

### ***Orange County Office of Education/Orange County***

In considering this item, the Board approved the staff's recommendation.

### ***San Ramon Valley Unified School District/Contra Costa County – 50/61804-00-17***

In considering this item, the Board approved the staff's recommendations.

## **SPECIAL APPEAL ITEMS**

### ***Oxnard Union High School District/Ventura County – 22/72546-00-02***

In considering this item, the Board approved the staff's recommendations.

### ***Piner-Olivet Union Elementary School District/Sonoma County – 50/70870-00-01***

The District withdrew this item.

### ***Lassen Union High School District/Lassen County – 50/64139-00-01***

Mr. Ken Theobald, President of the Lassen Union High School Board, and Mr. Dan Lewis, District Superintendent, addressed the Board on behalf of the District.

In considering this item, the Board approved the District's request for financial hardship status for its new construction project in the amount of \$4.9 million.

## **REGULATION ITEMS**

### ***Proposed Regulation Amendments for Additional Cost Grants for Facility Hardship Projects***

In considering this item, the Board approved the staff's recommendations.



***Proposed Regulation Amendments for Substantial Progress***

In considering this item, the Board approved the staff's recommendations.

***Proposed Regulation Amendments for Project Prioritization***

In considering this item, the Board approved the staff's recommendation.

***Final Adoption of Proposed Regulatory Amendments for Financial Hardship***

In considering this item, the Board approved the staff's recommendations.

***Final Adoption of Proposed Regulatory Amendments for High School Attendance Area Eligibility Status***

In considering this item, the Board approved the staff's recommendations.

**REPORTS*****Counties Education Technology Projects Report***

In considering this item, the Board accepted the staff's report.

**INFORMATION/REFERENCE*****Board Meeting Dates for the 2002 Calendar Year******Deferred Maintenance Program/Critical Hardship Unfunded Approvals List as of October 24, 2001******School Facility Program New Construction List – Unfunded Approvals as of October 24, 2001******School Facility Program Modernization List – Unfunded Approvals as of October 24, 2001******OPSC Workload Summary List – New Construction and Modernization through December 4, 2001******Facility Hardship/Rehabilitation Approvals Without Funding List as of December 12, 2001*****ADJOURNMENT**

There being no further business to come before the Board, the Chair adjourned the meeting at 2:50 p.m.

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LUISA M. PARK, Executive Officer